



February 8, 2008

ENGROSSED SENATE BILL No. 56

DIGEST OF SB 56 (Updated February 7, 2008 9:45 am - DI 103)

Citations Affected: IC 1-1.

Synopsis: Flag protocol for service related deaths. Requires the governor to issue a proclamation ordering the United States and state flags on property owned or controlled by the state to be flown at half-staff on the date of the funeral or memorial service of an Indiana resident who is a member of, and dies as a result of service in, the armed forces of the United States or the Indiana National Guard.

Effective: July 1, 2008.

**Waltz, Alting, Young R Michael,
Charbonneau, Steele**

(HOUSE SPONSORS — HERRELL, RUPPEL, GOODIN)

January 8, 2008, read first time and referred to Committee on Commerce, Public Policy & Interstate Cooperation.

January 14, 2008, reported favorably — Do Pass.

January 24, 2008, read second time, amended, ordered engrossed.

January 25, 2008, engrossed.

January 28, 2008, read third time, passed. Yeas 47, nays 0.

HOUSE ACTION

February 4, 2008, read first time and referred to Committee on Veterans Affairs and Public Safety.

February 7, 2008, amended, reported — Do Pass.

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February 8, 2008

Second Regular Session 115th General Assembly (2008)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2007 Regular Session of the General Assembly.

ENGROSSED SENATE BILL No. 56

A BILL FOR AN ACT to amend the Indiana Code concerning general provisions.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 1-1-15 IS ADDED TO THE INDIANA CODE AS
2 A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2008]:

4 **Chapter 15. Display of Flags at State Capitol**

5 **Sec. 1. As used in this chapter, "armed forces of the United**
6 **States" means:**

- 7 (1) the Army;
- 8 (2) the Navy;
- 9 (3) the Air Force;
- 10 (4) the Coast Guard; and
- 11 (5) the Marine Corps.

12 **Sec. 2. As used in this chapter, "member" refers to a member**
13 **of:**

- 14 (1) the armed forces of the United States; or
- 15 (2) the National Guard;
- 16 **who is a resident of Indiana.**

17 **Sec. 3. As used in this chapter, "National Guard" means:**

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(1) the Indiana Army National Guard; or

(2) the Indiana Air National Guard.

Sec. 4. As used in this chapter, "service related death" means the death of a member as a result of the member's service in the armed forces of the United States or the National Guard.

Sec. 5. As used in this chapter, "state flag" refers to a state flag flown on property owned or controlled by the state.

Sec. 6. As used in this chapter, "United States flag" refers to a United States flag flown on property owned or controlled by the state.

Sec. 7. Not more than twenty-four (24) hours after:

(1) receiving notice of and confirming through the United States Department of Defense a member's service related death; and

(2) verifying that the member's survivors have received notice of the member's service related death;

the governor shall issue a proclamation ordering the United States flag and the state flag to be flown at half-staff on the day of the member's funeral or memorial service.

Sec. 8. This chapter does not prohibit or otherwise limit the flying of other flags at half-staff under a separate gubernatorial proclamation.

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COMMITTEE REPORT

Madam President: The Senate Committee on Commerce, Public Policy and Interstate Cooperation, to which was referred Senate Bill No. 56, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is made to Senate Bill 56 as introduced.)

RIEGSECKER, Chairperson

Committee Vote: Yeas 7, Nays 0.

SENATE MOTION

Madam President: I move that Senate Bill 56 be amended to read as follows:

Page 1, delete lines 12 through 16.

Page 1, line 17, delete "Sec. 3." and insert "**Sec. 2.**".

Page 2, line 5, delete "Sec. 4." and insert "**Sec. 3.**".

Page 2, between lines 7 and 8, begin a new paragraph and insert:

"Sec. 4. As used in this chapter, "service related death" means the death of a member as a result of the member's service in the armed forces of the United States or the National Guard."

Page 2, line 14, delete "combat" and insert "**service related**".

Page 2, line 16, delete "combat" and insert "**service related**".

(Reference is to SB 56 as printed January 15, 2008.)

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SENATE MOTION

Madam President: I move that Senator Altting be added as coauthor of Engrossed Senate Bill 56.

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SENATE MOTION

Madam President: I move that Senators Young R Michael and Charbonneau be added as coauthors of Engrossed Senate Bill 56.

WALTZ

SENATE MOTION

Madam President: I move that Senator Steele be added as coauthor of Engrossed Senate Bill 56.

WALTZ

COMMITTEE REPORT

Mr. Speaker: Your Committee on Veterans Affairs and Public Safety, to which was referred Senate Bill 56, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, line 7, delete "the state capitol." and insert "**property owned or controlled by the state.**".

Page 2, line 9, delete "the state capitol." and insert "**property owned or controlled by the state.**".

Page 2, line 10, delete "thirty (30) days" and insert "**twenty-four (24) hours**".

Page 2, line 17, delete "for twenty-four (24)" and insert "**on the day of the member's funeral or memorial service.**".

Page 2, delete line 18.

and when so amended that said bill do pass.

(Reference is to SB 56 as reprinted January 25, 2008.)

TINCHER, Chair

Committee Vote: yeas 10, nays 0.

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